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MAY 12 2009	
CLERK U S DISTRICT COURT DISTRICT OF ARIZONA	
BY	B. DEPUTY

Ivan A. Madrueno
1815 East Pecan Road
Phoenix, Arizona 85040
(602) 323-5248

In Propria Persona

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

In The Matter of:
IVAN A. MADRUENO
Plaintiff

v.

Wells Fargo Bank, N.A.; Ronald M. Horwitz; John
Does 1 through 1000, et al
Defendants.

Case No. 2:09-cv-00295-GMS

MOTION TO DISMISS PLAINTIFF, IVAN A.
MADRUENO, WITHOUT PREJUDICE

(Assigned to the Honorable G. Murray Snow)

NOW COMES Plaintiff, Ivan A. Madrueno (hereinafter referred to as "Plaintiff") in *Propria* Persona, Plaintiff is *Propria Persona* and do not practice law, therefore should not be held to the same standards as a practicing member of the State Bar. *"Pro se litigants' pleadings are not held to the same high standards of perfection as lawyers."* Haines V. Kramer, 92 S. Ct. 594 (1982); Jenkins V. McKeithen 395 US 411, 421 (1969); Picking V. Penna. Rwy. Co., 151 f. 2d 240; Puckett V. Cox 456 F. 2d 233 (6th Cir. 1972), and hereby files his motion to dismiss his claim against Wells Fargo Bank, N.A. (hereinafter referred to as "Defendant Wells Fargo"), Ronald M. Horwitz (hereinafter referred to as "Defendant Horwitz"), and John Does 1 through 1000, et al (hereinafter referred to collectively as "Defendants") without prejudice. Plaintiff is now working with Defendant Wells Fargo Loss Mitigation Department to work out a payment arrangement that will better suit Plaintiffs and Defendants.

RESPECTFULLY SUBMITTED THIS 12TH DAY of MAY, 2009.


Ivan A. Madrueno, *In Propria Persona*
Without Prejudice/Without Recourse UCC-1308

Certificate of Service

I, Ivan A. Madrueno hereby swear under the penalty of perjury that the **fore-going document was filed with** the Clerk of the District Court on this **12th** day of **MAY, 2009**. I, Ivan A. Madrueno further swear that a copy of the fore-going document was mailed via US Regular Mail to the parties listed below.

On this **12TH** day of MAY, 2009 a
COPY of the foregoing filed and delivered to:

Honorable G. Murray Snow
United States District Court
Sandra Day O'Connor U.S. Courthouse, Suite 130
401 West Washington St., SPC-1
Phoenix, AZ 85003-2118

Clerk of Court
Clerk, United States District Court
Sandra Day O'Connor U.S. Courthouse, Suite 130
401 West Washington St., SPC-1
Phoenix, AZ 85003-2118

COPY of the foregoing mailed via regular U.S. mail
This **12TH** day of MAY, 2009 to:

Gregory J. Marshall
Terence Whatley
SNELL & WILMER
One Arizona Center
Phoenix, AZ 85004-2202
Attorneys for Wells Fargo Bank, N.A.

Janessa E. Koenig (018618)
JABURG & Wilk, P.C.
3200 North Central Avenue, Suite 2000
Phoenix, Arizona 85012
Attorneys for Ronald M. Horwitz

VERIFICATION

STATE OF ARIZONA)
)ss
 COUNTY OF MARICOPA)

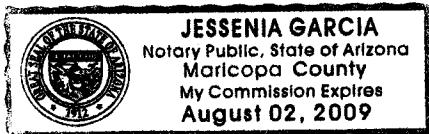
Ivan A. Madrueno being first duly sworn, upon his oath, deposes and states as follows: That he is the Plaintiff in the above-entitled and numbered matter; that he has read the foregoing Motion to Dismiss without Prejudice in the above captioned Case and know the contents thereof, that the matters stated therein are true of his own knowledge except as those matters stated upon information and belief, and as to those matters he believes them to be true.

Ivan A. Madrueno
 Ivan A. Madrueno, Plaintiff in Propria Persona
 Without Prejudice/Without Recourse UCC1-308

SUBSCRIBED, SWORN TO, AFFIRMED AND ACKNOWLEDGED before me, the undersigned Notary Public, on the 12th day of MAY, 2009, by Ivan A. Madrueno known to me or who have satisfactorily demonstrated to me that they are the above-named Plaintiffs in this matter.

Jessenia Garcia
 Signature of Notary Public

NOTARY SEAL OR STAMP



08/02/09
 Notary Expiration Date